THE HON'BLE SRI JUSTICE BILAL NAZKI

AND

THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION No. 7439 of 2006

17.04.2006

Between:

M/s.Vamsi Art Printers (P) Ltd., Hyderabad,

rep. by its Managing Director.

…Petitioner

And

Commercial Tax Officer, Basheerbagh Circle, Hyderabad & Others.

….Respondents.

THE HON'BLE SRI JUSTICE BILAL NAZKI

AND

THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION No. 7439 of 2006

ORDER : (Per Hon'ble Sri Justice Bilal Nazki)

Heard learned Counsel for the parties. With their consent, the Writ Petition is disposed of at this stage.

The controversy is that pending an appeal, application for stay

was dismissed by the competent authority. We have gone through the record. We feel that the interest of justice would have been met if stay was granted pending appeal, subject to deposit of 50% of the tax liability and 25% of penalty and interest. Therefore, we set aside the order of the authority and direct that 50% of the disputed tax liability and also 25% of penalty and interest shall be paid by the petitioner within a period of four weeks. For four weeks, there shall be an unconditional stay and the stay shall continue till disposal of the appeal, provided the amount is deposited within four weeks. The deposit of amount shall be without prejudice to the rights of the petitioner in the appeal.

Writ Petition is disposed of accordingly. No costs.

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(BILAL NAZKI, J)

17th April 2006

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N.B: (G.CHANDRAIAH,J)

Order by wire at party's cost.

(B/o)

ajr